

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division**

UNITED STATES OF AMERICA,

Plaintiff

v.

GONS GUTIERREZ NACHMAN,

Defendant.

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Case No. 1:08cr62 (GBL)

**DEFENDANT'S MOTION FOR DISCLOSURE OF
INFORMANT IDENTITY**

NOW COMES Defendant, by and through his undersigned counsel, and hereby moves this Honorable Court for an Order requiring the government to disclose the following:

1. The identities, addresses and telephone numbers of any confidential informant who was present at or during the continuance of the alleged crimes set forth in the indictment who has furnished to any law enforcement agent any information relating to the crimes charged in the indictment;
2. The contents of any communication, whether written or oral, made by any informant who may have participated with law enforcement agents or at the request of law enforcement agents in the investigation of any f the crimes charged in the indictment. If the communication was made orally, provide the date and time of the communication, a list of persons present when the communication was made along with a written summary of the communication;

In the event the government declines to voluntarily disclose the identity of any such informant or the substance of any communication, Defendant requests that the Court conduct a hearing to determine whether the identity of any such individual or the information that such

individual has supplied is privileged. Without such a hearing, Defendant's rights protected by *Roviaro v. United States*, 353 U.S. 35 (1957) are meaningless.

If the Court finds that a grant of this Motion at this time is premature, Defendant respectfully requests permission to renew the Motion at the appropriate time.

Respectfully submitted,

GONS GUTIERREZ NACHMAN

By: _____/s/_____

Stephen J. Stine, Esq.

Virginia Bar No. 66738

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CERTIFICATE OF SERVICE

I hereby certify that on the 26th day of March, 2008, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will then send a notification of such filing (NEF) to the following:

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Assistant U.S. Attorney
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/s/
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